



3739  
JLW

A34018 PCT USA - 062635.0133

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Simon Charles Martin  
Serial No. : 09/762,824 Examiner: Farah, Ahmed M.  
Filed : December 26, 2001 Group Art Unit: 3739  
For : SURGICAL VISUAL FEEDBACK AND EYE FIXATION  
METHOD AND APPARATUS

I hereby certify that this paper is being deposited with the United States  
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Bradley B. Geist  
Attorney Name  
[Signature]  
Signature

27,551  
PTO Reg. No.

June 9, 2004  
Date of Signature

**R E S P O N S E**

Commissioner for Patents  
Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed May 19, 2004.

The Examiner has required election of one of the following inventions:

Group I - Claims 1-20, 42, and 44, drawn to apparatus and method for limiting the rotation of the ocular globe of an eye to facilitate alignment of said instrument with the axis of astigmatism, or

Group II - Claims 21-39, 43 and 45, drawing to apparatus and methods for supplying visual feedback to an operator during refractive surgery of an eye.

NY02:487856.1

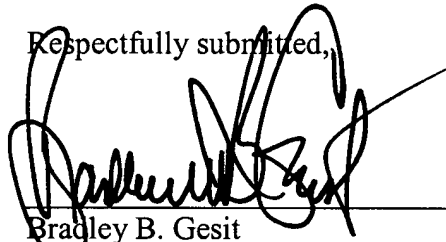
PATENT

Applicants hereby elect Group I - Claims 1 to 20, 42 and 44.

Applicant respectfully traverses the restriction requirement on the grounds that the Examiner has applied an incorrect standard. Since this application is a National Phase of a Patent Cooperation Treaty Application, the proper standard is the "Unity of Invention" standard as set forth in 37 CFR 1.475.

In view of the above, an action on the merits is hereby respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Bradley B. Gesit', is written over a horizontal line.

Bradley B. Gesit  
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